

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

STATE OF MARYLAND; STATE OF DELAWARE; STATE OF CALIFORNIA; STATE OF COLORADO; STATE OF ARIZONA; STATE OF CONNECTICUT; DISTRICT OF COLUMBIA, STATE OF HAWAI'I; STATE OF ILLINOIS; OFFICE OF THE GOVERNOR *ex rel.* Andy Beshear, in his official capacity as Governor of the COMMONWEALTH OF KENTUCKY; STATE OF MAINE; COMMONWEALTH OF MASSACHUSETTS; PEOPLE OF THE STATE OF MICHIGAN; STATE OF MINNESOTA; STATE OF NEVADA; STATE OF NEW JERSEY; STATE OF NEW MEXICO; STATE OF NEW YORK; STATE OF NORTH CAROLINA; STATE OF OREGON; JOSH SHAPIRO, in his official capacity as Governor of the COMMONWEALTH OF PENNSYLVANIA; STATE OF RHODE ISLAND; STATE OF VERMONT; STATE OF WASHINGTON; STATE OF WISCONSIN;

Plaintiffs,

v.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, operating as AmeriCorps; and JENNIFER BASTRESS TAHMASEBI, in her official capacity as Interim Head of the Corporation for National and Community Service;

Defendants.

Civ. No. 25-cv-01363 (DLB)

DECLARATION OF LINDA J. COHEN

Pursuant to 28 U.S.C. § 1746, I, LINDA J. COHEN, hereby declare as follows:

1. I am a resident of the State of New York. I am over the age of 18 and have personal knowledge of all the facts stated herein. If called as a witness, I could testify competently to the matters set forth below.

2. I am currently employed by the New York State Commission on National and Community Service (hereafter “the Commission”) as its Executive Director.

3. The Commission serves as the lead state entity responsible for networking volunteer resources and carrying out civic engagement initiatives as identified by the Governor of New York. The mission of the Commission is to improve lives, strengthen communities, and foster civic engagement through service and volunteering.

4. The Commission manages many of New York’s AmeriCorps programs. AmeriCorps is the federal program for national service and volunteerism. The AmeriCorps program is managed by the Corporation for National and Community Service, aka AmeriCorps (hereafter “the Corporation”). The AmeriCorps program provides opportunities for Americans of all backgrounds to serve their country, address the nation’s most pressing challenges, and improve lives and communities.

5. As the Executive Director, I am responsible for the overall management of policy, supervision of staff, developing partnerships both within and without NYS government, and grant programs at the Commission.

6. The Commission is responsible for implementing a large number of AmeriCorps programs for the State of New York. Serving with national, state, and local organizations. AmeriCorps members in New York tutor and mentor students and peers, make schools and

neighborhoods safer, provide housing assistance and legal services, restore parks and trails, assist seniors, coordinate health care, combat the opioid abuse epidemic, assist in recovery from the COVID-19 pandemic, respond to natural disasters, support veterans and military families, and much more.

7. The overwhelming majority of the AmeriCorps grants managed by the Commission fall under the “AmeriCorps State and National” arm of the total AmeriCorps program managed by the Corporation. As of the date of this writing, these grants include all in the following list:

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| Public Health Solutions | Public Health Solutions | \$108,000 |
| City of New York Office of Mayor | New York City Office of the Mayor II | \$1,607,002 |
| Concrete Safaris Inc | PlacemakingCorps | \$639,956 |
| Community Health Care Association of New York State, Inc. | CHCANYS NYS Public Health Corps | \$2,600,000 |
| CITY OF ROCHESTER CITY HALL | Flower City Public Health Corps | \$728,951 |
| Rural Health Network of SCNY, Inc., The | Rural Health Network of South Central New York | \$647,910 |
| Ronald McDonald House of New York, Inc. | Improving Child Health Through Integrated Systems of Care | \$162,000 |
| New York State Dispute Resolution Association, Inc. | Mediation Corps | \$609,770 |
| Wayne County Action Program, Inc. | Finger Lakes Living Healthy | \$290,520 |
| Grand Street Settlement, Inc | Grand Street Settlement AmeriCorps | \$476,570 |
| American National Red Cross, The | Red Cross Disaster Resiliency Corps | \$470,495 |
| Mental Health Association of Columbia-Greene Counties, Inc | Hudson PROMISE Corps | \$1,075,377 |
| St. Nicks Alliance Corp. | Reconnecting Youth through Career GPS | \$594,000 |
| County of Oswego | Oswego AmeriCorps Program | \$349,546 |
| New York-New Jersey Trail Conference | NY-NJ Trail Conference Conservation Corps | |
| Legal Assistance of Western New York, Inc. | NY | \$664,137 |
| Computers For Children, Inc. | Access to Justice Project | \$302,400 |
| NATURAL HISTORY MUSEUM OF ADIRONDACKS | Mission Ignite: Tech 360 New York | \$926,370 |
| THE SERVICE COLLABORATIVE OF WNY INC | The Wild Center AmeriCorps For School-Community Partnership | \$286,474 |
| Center for Family Life in Sunset Park, Inc. | Buffalo Service Corps | \$562,734 |
| Breakthrough New York Inc | Sunset Park Community Corps - Center for Family Life | \$737,100 |
| Monroe Community College | Breakthrough New York | \$283,878 |
| | Rochester AmeriCorps | \$856,797 |

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| New York Edge, Inc. | AmeriCorps at The Excellence Project | \$270,000 |
| THE RESEARCH FOUNDATION FOR THE STATE UNIVERSITY OF NEW YORK | FAFSA AmeriCorps Program Year 2 | \$399,870 |
| CITY OF NEW YORK | NYC Peer Corps | \$628,320 |
| CITY OF ROCHESTER CITY HALL | City of Rochester | \$378,000 |
| Reading & Math, Inc. | New York Early Learning Corps & Math Corps | \$675,000 |
| St. Nicks Alliance Corp. | Reconnecting Youth Through Social Emotional Wellness & Healt | \$634,500 |
| New York State Commission on National & Community Service | Placeholder PY2024 NY Cost Reimbursement | \$1,782,777 |
| Sunset Park Health Council, Inc. | Sunset Park Food Access Corps | \$270,000 |
| CITY YEAR, INC. | City Year New York FPG | \$4,600,000 |
| City of New York Office of Mayor | City Service Corps | \$0 |
| THE STUDENT CONSERVATION ASSOCIATION, INC. | SCA NY AmeriCorps - For Formula Submission AmeriCorps Relay Teaching Program New York (ARTPNY) | \$1,274,400 |
| Relay Graduate School of Education | NYC Civic Corps | \$967,680 |
| Justice Innovation Inc. | Community Resilience Corps | \$384,210 |
| THE RESEARCH FOUNDATION FOR THE STATE UNIVERSITY OF NEW YORK | AmeriCorps Fixed Amount Grant (State) | \$2,571,430 |
| Sunset Park Health Council, Inc. | Sunset Park AmeriCorps | \$239,688 |
| THE SERVICE COLLABORATIVE OF WNY INC | ABLE Early Childhood Program East Brooklyn Collaborative for Youth Development | \$592,046 |
| Cypress Hills Local Development Corp | | \$268,093 |

8. The Commission also manages one Volunteers in Service to America (VISTA) program which places up to 11 AmeriCorps members in NYS executive agencies to assist their stakeholders and constituencies with ongoing recovery from the COVID-19 pandemic. This grant does not award any federal funds to the Commission.

9. The Commission receives and manages primary or “prime” grants from the Corporation and awards and disburses subgrants from the prime grants. The Commission awards and administers subgrants to local and statewide organizations that directly manage the recruitment and support of AmeriCorps participants (hereafter “AmeriCorps members”) and have program-level responsibilities for supervision and evaluation of the services provided by AmeriCorps

members to local communities. The subgrantees also have primary responsibility for fiscal and programmatic management of the subgrants. The Commission supports these responsibilities through training, monitoring and technical assistance of each subgrant and the operation of its AmeriCorps program. Commission staff hold monthly calls with their assigned subgrantees, are available for consultation for subgrantee technical assistance, and perform site visits regularly to the subgrantees in their portfolio. The Commission also provides professional development for subgrantee staff and for the AmeriCorps members as necessary and desirable.

10. The AmeriCorps members funded through Commission subgrants play a crucial role in community development. Last year, over 1,200 New Yorkers united to meet local needs and strengthen neighborhoods with AmeriCorps investing more than \$16,059,641 in federal funding. These service members work across New York at more than 309 locations—supporting schools, food banks, homeless shelters, veterans' facilities, and other essential community institutions. Their efforts not only fortify community resilience but also generate almost six million dollars in additional local resources through public-private partnerships.

11. The AmeriCorps State and National Program awards AmeriCorps grants to New York State in two separate pools: A) a national competitive pool where applicants from New York State compete against applicants from across the country for funding; and B) State Commission formula funding which is awarded to the Commission pursuant to a formula based primarily on population. These subgrants are awarded in New York through a Request for Proposals (RFP), mainly based on federal Notices of Funding Opportunity (NOFO) issued by AmeriCorps but adapted by the Commission to comply with NYS procurement rules and processes. Grant applicants submit application materials to the Commission in response to an RFP, they are evaluated by independent reviewers and subsequently, based on score, referred by vote of the

Commission at an open meeting to the Corporation for funding approval. In NYS, both the competitive and formula funding pools are awarded using this RFP process. There are a few variations between the two pools, most notably that the Commission has discretion to match NYS priorities with its formula funds and a higher minimum score required for competitive funds. All NYS Commission grants must be approved by the Corporation regardless of pool.

12. On Friday, April 25, 2025, at approximately 7:34 PM EDT, an email signed by the Interim Agency Head of AmeriCorps notified the Commission that all of the above grants to New York listed in paragraph 7 were immediately terminated because they “no longer effectuate[] agency priorities.” The terminations we received came with no prior notice.

13. As examples of our large portfolio, the following programs are among the programs terminated as described in paragraph 12:

- a. **The Wild Center** – Tupper Lake NY – AmeriCorps members engage and educate students, family and community members at The Wild Center and the Tupper Lake School District. Members create STEAM (Science, Technology, Engineering, Art, and Math) activities utilizing whole campus resources such as exhibits, live animals, outdoor classrooms, art installations, films and technology.
- b. **Empire State Service Corps** – Statewide NYS – Participating SUNY students engage in public service work throughout New York State. Corps members provide service on their respective campuses or in the community in an array of areas: K-12 tutoring, SNAP and basic needs outreach, peer mental health, sustainability and climate action, anti-hate and bias prevention, civic engagement, and FAFSA completion.

- c. **The Service Collaborative of Western New York – Buffalo NY –**
AmeriCorps Builds Lives Through Education (ABLE) members serve with The Service Collaborative of Western New York to implement evidence-informed math interventions with small groups of 3-6-year-olds and to combat summer learning loss in Erie and Niagara counties.
- d. **Community Healthcare Association of NYS (CHCANYS) – Statewide NYS**
 - AmeriCorps members provide health education and care management services in Community Health Centers in multiple regions of New York State, including New York, Long Island, the Mid-Hudson Valley, the Capital Region, Western New York, the Finger Lakes, and Central New York.
- e. **Civic Corps – New York City –** AmeriCorps members build capacity and volunteer management systems, increasing the effectiveness and efficiency at high need community-based organizations.
- f. **Rochester AmeriCorps (Monroe Community College) – Rochester NY –**
AmeriCorps members provide academic enrichment, college preparation, and summer programming support to Rochester City School District students.
- g. **American Red Cross – Statewide NYS –** The American Red Cross Disaster Resiliency Corps provides disaster resiliency by educating individuals on the importance of disaster preparedness and fire safety and developing supply, storage, distribution, shelter, and other logistics planning for effective and rapid emergency responses in all New York State regions.

14. The AmeriCorps State and National programs terminated in New York State, including those described Paragraph 7, provide invaluable service to individuals and communities

across the Empire State. These individuals and communities will suffer immediate and irreparable harm from the lack of AmeriCorps services; an estimated 70,000 New Yorkers will be impacted.

15. Since April 25, 2025, over a thousand AmeriCorps members have been immediately removed from service, losing their living allowances and all benefits, including, if eligible, child care and health care services. The lack of income will cause many to lose their housing. Members unable to complete their terms of service will lose at best a portion of their education awards and at worst the entire award, cutting short plans for higher education and possibly permanently impacting their careers.

16. Since April 25, 2025, the programs terminated have begun shutdowns, the Commission has canceled an annual training and professional development summit for its AmeriCorps members, planned for May 14, 2025. The ensuing uncertainty and distress will cause ripple effects across New York, in food banks, in schools, in state and national parks, on college campuses and in after-school programs.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct. Executed on April 30, 2025, at Rensselaer, New York.



Linda J. Cohen
Executive Director
New York State Commission on
National and Community Service